

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

REGINALD C. HOWARD,

Plaintiff,

v.

G. CARPENTER, et al.,

Defendants.

Case No. 3:20-cv-00588-ART-CSD

**ORDER**

(ECF Nos. 3, 20)

This action began with a *pro se* civil-rights complaint filed under 42 U.S.C. § 1983 by a state prisoner. (ECF No. 1-1). Plaintiff Reginald Howard has submitted an application to proceed *in forma pauperis* (“IFP Application”) demonstrating that he is able to pay the full \$400 filing fee for a civil action. (ECF No. 3).<sup>1</sup> Based on the financial information provided, the Court denies the IFP Application and directs Howard to pay the \$400 filing fee in full before this case may proceed. Alternatively, if Howard’s financial situation has changed, he may submit a new IFP Application with an inmate account statement for the past six months and a properly executed financial certificate demonstrating his indigent status.

The Court notes that Howard filed a document stating that he very recently submitted a kite to prison officials seeking to have the filing fee for this action paid from his prison trust account. (ECF No. 20). The Court construes this document as a notice, not a motion for any relief from the Court. After the Court determines the matter of payment for the filing fee, it will issue an order on the matter of service.

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<sup>1</sup> The full filing fee is \$400 because Howard initiated this action before the amount increased to \$402 effective December 1, 2020.

1 It is therefore ordered that the application to proceed *in forma pauperis*  
2 (ECF No. 3) is denied.

3 It is further ordered that the Court construes ECF No. 20 as a notice that  
4 Howard is seeking to have the full \$400 filing fee for this action paid from his  
5 prison trust account, not a motion for any relief from the Court.

6 It is further ordered that Howard must pay the full filing fee of \$400 to the  
7 Clerk of Court on or before Friday, February 3, 2023, to proceed with this case.

8 Alternatively, if Howard's financial status has changed, Howard must  
9 demonstrate his indigent status by submitting a new application to proceed *in*  
10 *forma pauperis* with an inmate account statement for the past six months and a  
11 properly executed financial certificate to this Court on or before February 3,  
12 2023.

13 It is further ordered that if Howard fails to timely comply with this order,  
14 the Court will dismiss this case without prejudice.

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16 DATED THIS 5th day of December 2022.

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19 ANNE R. TRAUM  
20 UNITED STATES DISTRICT JUDGE  
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